

**A RESOLUTION
BY CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION TO CONVERT A SECTION OF BOLTON ROAD, FULTON INDUSTRIAL BOULEVARD AND HARWELL ROAD TO A TEMPORARY STATE ROUTE FOR BRIDGE IMPROVEMENTS; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Department of Transportation ("GDOT") is performing preconstruction activities for I-285 Interchange at D.L. Hollowell Parkway ("I-285 Interchange Project") to relocate a section of Bolton Road, Fulton Industrial Boulevard and Harwell Road in the City of Atlanta ("City"); and

WHEREAS, GDOT requires the City to enter into an agreement which converts sections of Bolton Road, Fulton Industrial Boulevard and Harwell Road ("Bolton/Fulton/Harwell") to be added, temporarily, to the State Highway System; and

WHEREAS, the City will continue to maintain Bolton/Fulton/Harwell within its rights of way and jurisdiction during the construction project; and

WHEREAS, after completion of the I-285 Interchange Project, GDOT will provide the City with written notice of the completion, and grant the removal of the portion of Bolton/Fulton/Harwell from the State Highway System; and

WHEREAS, the City acknowledges that GDOT requires the City to effectuate the transfer of its City streets to a temporary state route by holding GDOT harmless from any and all responsibility for damages or liability, due to negligence arising from the maintenance of said portions of Bolton/Fulton/Harwell.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to enter into an agreement with the Georgia Department of Transportation ("GDOT") to temporarily convert portions of Bolton/Fulton/Harwell to the State Highway System for the I-285 Interchange Project.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare an appropriate agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that the agreement will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to GDOT.

Part II: Legislative White Paper:

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION TO CONVERT A SECTION OF BOLTON ROAD, FULTON INDUSTRIAL BOULEVARD AND HARWELL ROAD TO A TEMPORARY STATE ROUTE FOR BRIDGE IMPROVEMENTS; AND FOR OTHER PURPOSES.

Council Meeting Date: January 16, 2007

Requesting Dept.: Public Works

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Preconstruction activities are underway for the subject project to relocate sections of Bolton Road, Fulton Industrial Blvd., and Harwell Road in the City of Atlanta so GDOT can move forward with construction work on the project.

2. Please provide background information regarding this legislation.

To accommodate construction activities for GDOT, it is necessary for the City to add sections of existing roadways to the State Highway System.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Maintenance Agreement
- (b) **Source Selection:** N/A
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

4. Fund Account Center: N/A

5. Source of Funds: *Example: Local Assistance Grant* Funds not required

6. Fiscal Impact: None

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Dawn Riley

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton 

Contact Number: 6207

Originating Department: Public Works

Committee(s) of Purview: City Utilities

Council Deadline: December 19, 2006

Committee Meeting Date(s): January 9, 2007 Full Council Date: January 16, 2007

Commissioner Signature 

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION TO CONVERT A SECTION OF BOLTON ROAD, FULTON INDUSTRIAL BOULEVARD AND HARWELL ROAD TO A TEMPORARY STATE ROUTE FOR BRIDGE IMPROVEMENTS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$00.00

Mayor's Staff Only

Received by Mayor's Office: 12-18-06  Reviewed by: 
(date)

Submitted to Council: 12/19/06
(date)